

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: CRIMINAL JUSTICE (Including District Attorney; Probation & Public Defender)

DATE: JULY 24, 2008

COMMITTEE MEMBERS PRESENT:

SUPERVISORS TESSIER
BENTLEY
O'CONNOR
STEC
KENNY
VANNESS
TAYLOR

OTHERS PRESENT:

JOHN ADAMS, PROBATION SUPERVISOR
KATE HOGAN, DISTRICT ATTORNEY
JOHN WAPPETT, PUBLIC DEFENDER
FREDERICK H. MONROE, CHAIRMAN
AMY BARTLETT, FIRST ASSISTANT COUNTY ATTORNEY
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE &
FISCAL SERVICES
JOAN SADY, CLERK OF THE BOARD
SUPERVISOR BELDEN
SUPERVISOR GOODSPEED
SUPERVISOR SOKOL
BUD YORK, SHERIFF
SHANE ROSS, CHIEF DEPUTY
SARAH MCLENITHAN, LEGISLATIVE OFFICE SPECIALIST

Mr. Tessier called the meeting of the Criminal Justice Committee to order at 9:30 a.m.

Motion was made by Mr. VanNess, seconded by Mr. Kenny, and carried unanimously to approve the minutes from the June 26, 2008 Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to John Adams, Probation Supervisor, who presented the Committee with a request for a new contract with the New York State Division of Probation and Correctional Alternatives for State Aid for Probation Services in a total amount not to exceed \$201,500, commencing January 1, 2008 and terminating December 31, 2008.

Motion was made by Mr. Kenny, seconded by Mr. Bentley and carried unanimously to authorize a contract with the New York State Division of Probation and Correctional Alternatives for State Aid in an amount not to exceed \$201,500 as outlined above and the necessary resolution was authorized for the August 15, 2008 Board meeting. *A copy of the resolution request form is on file with the minutes.*

This concluded the Probation Department portion of the Criminal Justice meeting.

Privilege of the floor was extended to John Wappett, Public Defender, who requested that the salaries of the 4th and 5th Assistant Public Defenders be adjusted to increase the salary for the 4th Assistant Public Defender and decrease the salary for the 5th Assistant Public Defender. Mr. VanNess questioned whether Mr. Wappett had the authority to change the salaries without Committee approval, and Joan Sady, Clerk of the Board, noted that Mr. Wappett set the salary for the two positions. Hal Payne, Commissioner of Administrative and Fiscal Services, advised that the numbering of the positions did not have significant meaning and it may be possible to change the numbers as long as the Personnel Form 426 was submitted to Richard Kelly, Personnel Officer.

It was the consensus of the Committee that Mr. Wappett be authorized to adjust the salary schedule accordingly and submit Personnel Form 426 to Mr. Kelly. *(Note: Subsequent to the meeting it was determined that the request to increase the salary of the 4th Assistant Public Defender and decrease the salary of the 5th Assistant Pubic Defender would require a resolution and should be referred to the Personnel Committee.)*

Mr. Wappett presented his last piece of business, which concerned the Budget Performance Report. He directed the Committee to the second page of the report and reminded the Committee that when the 5th Assistant Public Defender position was approved, the funds were not available in the Budget; therefore, a shortfall would occur at the end of the year.

Mr. Wappett noted that the continuation of the increase in costs for the psychiatric evaluations, as well as the growing need to have them done, had the most significant impact on his budget.

This concluded the Public Defender portion of the Criminal Justice meeting.

Privilege of the floor was extended to Kate Hogan, District Attorney, who distributed copies of her agenda to the Committee members. *A copy of the agenda is on file with the minutes.*

Ms. Hogan referred to the first item, a request to ratify actions taken, or authorize further actions needed, to effectuate the Child Advocacy Resource and Education (CARE) Center's separation from Warren County. She added that as of October 1, 2008 the County would be removing itself from the project and a resolution was needed to re-assign the contract held by the County with the Office of Family and Children Services to the Not-for-Profit Organization assuming responsibility for the CARE Center.

Ms. Hogan added that she thought this action had already been completed; however, she said, in speaking with Amy Bartlett, First Assistant County Attorney, it was brought to her attention that a formal resolution was never brought forth.

Motion was made by Mr. VanNess, seconded by Mr. Bentley and carried unanimously to ratify the actions or authorize further actions to effectuate from the CARE Center's separation from Warren County as outlined above and the necessary resolution was authorized for the August 15, 2008 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Ms. Hogan stated the next request was a transfer of funds to cover the cost of the increase in the working hours of the Crime Victim Specialist from 29 to 34. She said this action would incur no cost to the County, as the costs would be funded with grant monies. Mr. VanNess asked whether this increase in hours would result in fringe benefits, to which Mrs. Hogan replied in the negative.

Motion was made by Mr. VanNess, seconded by Mr. Bentley and carried unanimously to approve the request for a transfer funds in an amount not to exceed \$1,000 to cover the costs of the increased hours of the Crime Victim Specialist contingent upon the position being ineligible for benefits as outlined above, and refer same to the Finance Committee. *A copy of the request to transfer funds is on file with the minutes.*

Concluding the agenda review, Ms. Hogan requested an executive session to discuss the employment history of a particular person.

Motion was made by Mr. VanNess, seconded by Mr. Bentley and carried unanimously that executive session be declared, pursuant to Section 105 (f) of the Public Officers Law.

Executive session was declared from 9:42 a.m. to 10:00 a.m.

Mr. Stec entered the meeting during executive session.

Committee reconvened.

Pursuant to the executive session, motion was made by Mr. VanNess, seconded by Mr. Bentley and carried unanimously to authorize the filling of the vacant position of 5th Assistant District Attorney, base salary of \$45,568, Employee No.11377, due to resignation, and to authorize the filling of the vacant 6th Assistant District Attorney position, Employee No. 11387, base salary of \$42,275 due to promotion, and to refer same to the Personnel Committee. *Copies of the Notices of Intent to fill Vacant Position forms are on file with the minutes.*

There being no further business to come before the Criminal Justice Committee, on motion by Mr. VanNess and seconded by Mr. Bentley, Mr. Tessier adjourned the meeting at 10:02 a.m.

Respectfully submitted,

Sarah McLenithan, Legislative Office Specialist